

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Narva (Mandal) – Erladinne (V) – O.P.No.240/92 – Sanction of decretal charges of Rs. **Rs.19,34,957/- (Rupees Nineteen lakhs thirty four thousand nine hundred and fifty seven only)** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 386

DATE:02.06.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP2.917/2004,
Dt:21.03.09 alongwith the letter of Spl.Collector, Bheema Project, MBNR.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No. 240/92 pertaining to Erladinne (V) Narva (M) of Mahabubnagar District. The brief facts of the case is that the then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of 33.16 gts in the limits of Erladinne (V) by fixing the market value @Rs.2,000/- for Category-I and Rs.19,000/- for Category-II vide Award No.1/91, dt:24.03.91 for the purpose of submergence of PJP. The awardees have filed their petitions U/s.18 of the L.A.Act. The Sub-ordinate judge, Gadwal dt:03.04.1996 has enhanced the market value from Rs.2,000/- for Cat-I & Rs.19,000/- per acre for Cat-II to Rs.45,000/- per acre by treating both the categories into single category. Aggrieved by the judgment and decree of Lower Court the then LAO has preferred an appeal before the Hon'ble High Court. The Hon'ble High Court has granted interim stay orders by depositing 50% of the decretal amount. Accordingly, Govt.have sanctioned 50% decretal amount vide G.O.Rt.No.1511, dt:09.09.2002. Finally, the Hon'ble High Court of AP, Hyderabad has dismissed the appeal on 21.02.2003.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs. of Rs.19,34,957/- (Rupees Nineteen lakhs thirty four thousand nine hundred and fifty seven only)** in respect of O.P.No.240/92 & batch pertaining to Erladinne (V) Nara (M) of Mahabubnagar District District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01- Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – SH (26) – Dams and Appurtenant works - 530 Major Works 532 - Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1778/F2(2)/2009-1, dated 21.05.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, I&CAD, MBNR, Jalasoudha Buildings,
Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.27009/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER